

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492

Master Docket No. 13-cv-09116

Judge John Z. Lee

Magistrate Judge Geraldine Soat  
Brown

**DECLARATION OF STEVE W. BERMAN IN SUPPORT OF JOINT MOTION  
FOR PRELIMINARY APPROVAL OF AMENDED CLASS SETTLEMENT  
AND CERTIFICATION OF SETTLEMENT CLASS**

I, Steve W. Berman, declare as follows:

1. I am the Managing Partner of Hagens Berman Sobol Shapiro LLP and Co-Lead Counsel for the Plaintiffs in *Arrington, et al. v. National Collegiate Athletic Ass’n*, No. 11-cv-06356 (N.D. Ill.) and *In re: National Collegiate Athletic Association Student-Athlete Concussion Litigation*, No. 13-cv-09116 (N.D. Ill.). I have full knowledge of the matters stated herein, and could and would testify hereto if necessary.

2. Following the Court’s Memorandum Opinion Order dated December 17, 2014 (“Order”), the parties, in consultation with their experts and under the supervision of the Hon. Wayne Andersen (Ret.), worked extensively to address the Court’s concerns in the Order resulting in the Amended Class Action Settlement Agreement and Release (“Amended Settlement”) now before the Court.

3. We met with the NCAA, the Medical Science Committee, Judge Andersen and the Garretson Resolution Group on January 20, 2015 in New York, New York to discuss the

scope and implementation of the Medical Monitoring Program. We also met with the NCAA's counsel on February 24, 2014 in Chicago, Illinois regarding amendments to the Settlement.

4. In addition to the in-person meeting, we engaged in multiple written and oral communications to consummate the Amended Settlement, spanning months of vigorous, arm's-length negotiations with the NCAA and extensive consultation with experts including Bruce Deal of The Analysis Group, The Garretson Resolution Group, the Medical Science Committee, and Alan Vasquez.

5. We also discussed the Settlement benefits with a number of Settlement Class Members. As a result of many communications directly and in joint telephone calls with Judge Andersen and the Class Members, we have added an additional 13 Class Representatives, including current and former student-athletes in Contact and Non-Contact Sports. The Class Representatives now total 25 current and former NCAA student-athletes spanning 10 different sports with varying degrees of concussion incidences.

I declare under perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed this 14th day of April, 2015 at Seattle, Washington.

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*/s/ Steve W. Berman*  
Steve W. Berman

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on April 14, 2015, a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: /s/ Steve W. Berman